

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2241

To establish a Gulf of Maine Council to promote the economic development and ensure the environmental quality of the Gulf of Maine, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 24 (legislative day, JUNE 7), 1994

Mr. MITCHELL introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To establish a Gulf of Maine Council to promote the economic development and ensure the environmental quality of the Gulf of Maine, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Gulf of Maine Act of  
5   1994”.

### 6   **SEC. 2. FINDINGS.**

7       (a) ECONOMIC FINDINGS.—Congress makes the fol-  
8   lowing findings regarding economic activities in the Gulf  
9   of Maine region:

1           (1) The Gulf provides significant commercial  
2           benefits to the United States and Canada. The com-  
3           mercial fishing industry of the Gulf is valued at  
4           more than \$800,000,000. Approximately 20,000  
5           United States and Canadian citizens fish the marine  
6           resources of the Gulf.

7           (2) The Gulf is an important recreational re-  
8           source because the Gulf—

9                   (A) is within 1 day's drive of 75,600,000  
10           people;

11                   (B) contains 3 United States and Cana-  
12           dian national parks and 1 United States na-  
13           tional marine sanctuary; and

14                   (C) attracts approximately 10,000,000 visi-  
15           tors annually.

16           (3) The Gulf provides diverse livelihoods rang-  
17           ing from tourism-based employment to seaweed har-  
18           vesting.

19           (b) ECOLOGICAL FINDINGS.—Congress makes the  
20           following findings regarding the ecological status of the  
21           Gulf of Maine region:

22                   (1) The Gulf supports a wide diversity of ma-  
23           rine life, including 100 species of birds, 73 species  
24           of fish, and 26 types of whales, porpoises, and seals,  
25           including 30 federally listed endangered species in-

1 cluding the bald eagle, sea turtle, humpback whale,  
2 and sperm whale.

3 (2) The Gulf of Maine region is experiencing  
4 environmental problems, including—

5 (A) high levels of toxic contaminants in  
6 deep basin sediments of the Gulf, as well as in  
7 organisms within the Gulf of Maine ecosystem,  
8 including the bald eagle and the American lob-  
9 ster;

10 (B) concerns about human health that  
11 have resulted in the closure of about  $\frac{1}{3}$  of Gulf  
12 shellfish beds, resulting in economic losses in  
13 communities around the Gulf;

14 (C) the increasing loss of habitat in the  
15 Gulf region, which results in diminished coastal  
16 and estuarine habitats important to migratory  
17 waterfowl and commercially valuable fish spe-  
18 cies; and

19 (D) the escalating impact of recreational  
20 use on the Gulf ecosystem.

21 (c) MANAGEMENT FINDINGS.—Congress makes the  
22 following findings regarding the management of the Gulf  
23 of Maine region:

24 (1) The natural resources of the Gulf are inter-  
25 connected, forming an ecosystem that transcends po-

1        litical boundaries and that is a public resource that  
2        needs national attention.

3            (2) The efforts of the States of Maine, Massa-  
4        chusetts, and New Hampshire, and of the Canadian  
5        Provinces of Nova Scotia and New Brunswick, to  
6        form a Gulf of Maine Council on the Marine Envi-  
7        ronment have laid a foundation for future efforts to  
8        protect and conserve the Gulf.

9            (3) There is a need to continue and expand the  
10       research, monitoring, management, and development  
11       activities within the Gulf and to coordinate the ac-  
12       tivities.

13    **SEC. 3. DEFINITIONS.**

14        As used in this Act:

15            (1) ADMINISTRATOR.—The term “Adminis-  
16        trator” means the Administrator of the Environ-  
17        mental Protection Agency.

18            (2) AGREEMENT.—The term “Agreement”  
19        means the Gulf of Maine Agreement developed  
20        under section 4(c)(1).

21            (3) COMMISSION.—The term “Commission”  
22        means the St. Croix International Waterway Com-  
23        mission established under chapter 8 of title 38 of the  
24        Maine Revised Statutes.

1           (4) GULF OF MAINE COUNCIL.—The terms  
2           “Gulf of Maine Council” and “Council” mean the  
3           Gulf of Maine Council established under section 4.

4           (5) GULF OF MAINE REGION.—The term “Gulf  
5           of Maine region” means the Bay of Fundy, the Gulf  
6           of Maine, including Georges Bank, and the streams,  
7           rivers, lakes, and other bodies of water, and the as-  
8           sociated land mass of the bodies of water, within the  
9           drainage basin of the Gulf of Maine, together with  
10          the ecological community of the Gulf of Maine.

11          (6) MANAGEMENT COUNCIL.—The term “Man-  
12          agement Council” means the New England Fishery  
13          Management Council established under section  
14          302(a)(1) of the Magnuson Fishery Conservation  
15          and Management Act (16 U.S.C. 1852(a)(1)).

16          (7) SECRETARY.—The term “Secretary” means  
17          the Secretary of Commerce.

18 **SEC. 4. GULF OF MAINE COUNCIL.**

19          (a) ESTABLISHMENT.—

20               (1) IN GENERAL.—There is authorized to be es-  
21               tablished a Gulf of Maine Council to promote the en-  
22               vironmental and economic health of the Gulf of  
23               Maine region.

24               (2) PURPOSE.—The purpose of the Gulf of  
25               Maine Council shall be to facilitate the coordination

1 of governmental and nongovernmental activities re-  
2 lated to the Gulf of Maine region, including—

3 (A) economic development, including the  
4 coordination and prioritization of applications  
5 for assistance submitted under section 5;

6 (B) environmental assessment and man-  
7 agement;

8 (C) fisheries habitat improvement and  
9 management;

10 (D) marine research; and

11 (E) education and understanding concern-  
12 ing ecological and cultural resources.

13 (3) INITIAL ORGANIZATION.—On receiving a  
14 written agreement of the Governors of Maine, Mas-  
15 sachusetts, and New Hampshire, and the Premiers  
16 of Nova Scotia and New Brunswick, that is jointly  
17 signed by each such Governor and Premier, to estab-  
18 lish the Gulf of Maine Council in accordance with  
19 this section, and the nominations of the Governors  
20 and the Premiers to the Gulf of Maine Council, Con-  
21 gress shall consider the Gulf of Maine Council to be  
22 established.

23 (4) FEDERAL ADVISORY COMMITTEE ACT.—The  
24 Federal Advisory Committee Act (5 U.S.C. App. 2)

1       shall not apply to any entity established under this  
2       Act.

3       (b) MEMBERSHIP, AUTHORITY, AND FUNDING OF  
4       COUNCIL.—

5               (1) MEMBERSHIP AND PERSONNEL.—

6                       (A) MEMBERSHIP.—Not later than 180  
7                       days after the date of enactment of this Act,  
8                       the Governors of Maine, Massachusetts, and  
9                       New Hampshire and the Premiers of Nova Sco-  
10                      tia and New Brunswick shall each appoint 3  
11                      representatives to the Gulf of Maine Council.  
12                      The representatives of the Provinces shall be ex  
13                      officio members of the Council.

14                     (B) TERMS.—The term of each member of  
15                     the Gulf of Maine Council shall be 3 years, ex-  
16                     cept that, in the case of initial appointments,  
17                     the Governors and Premiers shall each appoint  
18                     1 member to a term of 2 years, 1 member to  
19                     a term of 3 years, and 1 member to a term of  
20                     4 years.

21                     (C) EXECUTIVE SECRETARY AND STAFF.—

22                     The Gulf of Maine Council may employ an exec-  
23                     utive secretary and such support staff as are  
24                     necessary to assist the Council, and the Boards  
25                     and Councils referred to in sections 5 through

1 8, in carrying out their duties, including the co-  
2 ordination of plans and programs developed  
3 under sections 5 through 8.

4 (D) TRAVEL EXPENSES.—A member of the  
5 Gulf of Maine Council who is not an employee  
6 of the Federal Government or a State govern-  
7 ment, while away from the home or regular  
8 place of business of the member in performing  
9 a duty of the Council, shall be allowed travel ex-  
10 penses, including per diem in lieu of subsist-  
11 ence, in the same manner as a person employed  
12 intermittently in the Government service is al-  
13 lowed expenses under section 5703 of title 5,  
14 United States Code.

15 (2) DECISIONMAKING.—The Gulf of Maine  
16 Council—

17 (A) may establish such bylaws and deci-  
18 sionmaking processes as the Council determines  
19 are necessary; and

20 (B) shall meet not less often than annu-  
21 ally.

22 (3) FINANCIAL SUPPORT.—

23 (A) IN GENERAL.—

24 (i) ANNUAL BUDGET.—The Gulf of  
25 Maine Council shall annually adopt by con-

1           sensus a budget for the activities of the  
2           Council.

3           (ii) STATE SUPPORT.—Each State  
4           represented on the Gulf of Maine Council  
5           shall provide to the Council a payment in  
6           an amount equal to the quotient obtained  
7           by dividing—

8                   (I) the United States portion of  
9                   the budget adopted under clause (i);  
10                  by

11                  (II) the number of States rep-  
12                  resented on the Council.

13           (iii) FEDERAL CONTRIBUTIONS.—The  
14           Government of the United States may  
15           make the payment required of a State  
16           under clause (ii).

17           (B) SUPPLEMENTAL FUNDING.—The Gulf  
18           of Maine Council may accept, from the Govern-  
19           ment of the United States, the Government of  
20           Canada, other agencies, corporations, organiza-  
21           tions, and individuals, funds for activities or  
22           projects to supplement funds made available to  
23           the Council under subparagraph (A).

24           (4) GULF OF MAINE ADVISORY GROUP.—

1 (A) IN GENERAL.—The Gulf of Maine  
2 Council shall establish a Gulf of Maine Advisory  
3 Group (referred to in this section as the “Advi-  
4 sory Group”) to advise the Council, the Gov-  
5 ernors of Maine, Massachusetts, and New  
6 Hampshire, and the Premiers of Nova Scotia  
7 and New Brunswick on the implementation of  
8 this Act.

9 (B) COMPOSITION.—The members of the  
10 Advisory Group shall be appointed by the Gov-  
11 ernors and Premiers in coordination with the  
12 Gulf of Maine Council and shall include not  
13 more than 15 members, including representa-  
14 tives of the public, the fishing community, the  
15 scientific community, nonprofit organizations,  
16 and local governments.

17 (c) GULF OF MAINE AGREEMENT.—

18 (1) IN GENERAL.—Not later than 2 years after  
19 the date of enactment of this Act, the Gulf of Maine  
20 Council shall develop and adopt a Gulf of Maine  
21 Agreement. The Agreement shall set forth general  
22 priorities and guidelines for the protection, assess-  
23 ment, management, and sustainable development of  
24 the Gulf of Maine region for the 10 years after the  
25 date of adoption of the Agreement. The Gulf of

1 Maine Council shall oversee the implementation of  
2 the Agreement.

3 (2) ELEMENTS OF AGREEMENT.—The Agree-  
4 ment shall, at a minimum—

5 (A) describe long-term goals for environ-  
6 mental protection and sustainable economic de-  
7 velopment in the Gulf of Maine region;

8 (B) identify opportunities for improved co-  
9 ordination of activities relating to—

10 (i) economic development;

11 (ii) fisheries management;

12 (iii) environmental assessment and  
13 protection;

14 (iv) marine research; and

15 (v) education;

16 (C) be consistent with all relevant Federal  
17 and State laws;

18 (D) incorporate, to the maximum extent  
19 practicable, ongoing planning efforts being con-  
20 ducted by coastal communities and members of  
21 the fishing community;

22 (E) establish parameters and criteria to  
23 monitor and evaluate the effectiveness of ac-  
24 tions taken under this Act and measures to re-  
25 spond to evaluation results; and

1 (F) facilitate and coordinate public edu-  
2 cation and awareness concerning the environ-  
3 ment and economy of the Gulf of Maine region.

4 (3) REVIEW.—

5 (A) ADVISORY GROUP.—The Gulf of Maine  
6 Council shall provide for the participation of the  
7 Advisory Group in the development of the  
8 Agreement.

9 (B) PUBLIC REVIEW AND COMMENT.—The  
10 Gulf of Maine Council shall provide for public  
11 review and comment on the Agreement prior to  
12 adoption, including, at a minimum, a public  
13 hearing in each State and Province represented  
14 on the Gulf of Maine Council.

15 (4) ADOPTION.—After considering the com-  
16 ments of the Advisory Group and the public, the  
17 Gulf of Maine Council shall make appropriate  
18 changes to the Agreement and adopt the Agreement  
19 with appropriate implementation mechanisms if the  
20 Agreement is consistent with this Act.

21 (5) PROGRESS REPORT AND REVISION OF  
22 AGREEMENT.—Not later than 5 years after the date  
23 of adoption of the Agreement, the Gulf of Maine  
24 Council shall prepare a report that assesses the ex-  
25 tent of progress in attaining the goals of this Act

1 and make such revisions to the Agreement and the  
2 structure of the Council as the Council determines  
3 are appropriate. The report shall identify opportuni-  
4 ties to enhance mutual cooperation and coordination  
5 between the United States and Canada concerning  
6 the Gulf of Maine region. The report shall be sub-  
7 mitted to Congress, the Secretary, the Secretary of  
8 the Interior, the Administrator, and the heads of  
9 other appropriate Federal, State, and local agencies  
10 and organizations.

11 (6) EXTENT OF AUTHORITY.—

12 (A) IN GENERAL.—Subject to subpara-  
13 graph (C), the Gulf of Maine Council may re-  
14 view, to the extent consistent with applicable  
15 law, the activities of international, Federal,  
16 State, and Provincial entities in the Gulf of  
17 Maine region and make recommendations to the  
18 entities regarding the compatibility of the ac-  
19 tivities with the Agreement.

20 (B) REVIEW OF PLANS.—The Gulf of  
21 Maine Council shall review plans prepared by  
22 the Boards and Councils referred to in sections  
23 5 through 8 to ensure that the plans are con-  
24 sistent with each other and with the goals and  
25 priorities established in the Agreement.

1 (C) LIMITATIONS.—No action or rec-  
2 ommendation authorized under this section—

3 (i) binds or obligates any department,  
4 agency, officer, or Act of the Federal Gov-  
5 ernment, any State government, any In-  
6 dian tribe, or any international entity es-  
7 tablished by treaty with authority relating  
8 to the Gulf of Maine region, unless this  
9 Act specifically provides otherwise; or

10 (ii) limits the authority of the United  
11 States to enter into treaties.

12 (d) REPORT.—Not later than 12 years after the date  
13 of enactment of this Act, the Gulf of Maine Council shall  
14 submit a report to Congress and the President on the ac-  
15 tivities of the Gulf of Maine Council and the effectiveness  
16 of this Act in promoting the economic and environmental  
17 health of the Gulf of Maine region. The report shall in-  
18 clude recommendations for such administrative and legis-  
19 lative action as the Council considers advisable.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated such sums as are nec-  
22 essary to carry out this section.

23 **SEC. 5. ECONOMIC ASSISTANCE FOR THE GULF OF MAINE**  
24 **REGION.**

25 (a) ECONOMIC DEVELOPMENT BOARD.—

1           (1) ESTABLISHMENT.—The Gulf of Maine  
2       Council, in cooperation with the Economic Develop-  
3       ment Administration and the National Oceanic and  
4       Atmospheric Administration of the Department of  
5       Commerce, shall establish an Economic Development  
6       Board (referred to in this subsection as the  
7       “Board”) to develop and implement a long-term  
8       plan for coordinating environmentally sound eco-  
9       nomic assistance for the Gulf of Maine region pro-  
10      vided under this section and from other sources.

11          (2) PURPOSE AND DUTIES.—The purpose of the  
12      Board shall be to identify economic assistance prior-  
13      ities and projects with the greatest potential to aid  
14      the restoration of both the economic and ecological  
15      health of the Gulf of Maine region. The Board shall  
16      provide grantmaking agencies and organizations  
17      with the information referred to in the preceding  
18      sentence and shall carry out the responsibilities of  
19      the Council referred to in section 4(a)(2)(A).

20          (3) MEMBERS.—The Board shall consist of  
21      such individuals as the members of the Gulf of  
22      Maine Council determine are appropriate and should  
23      include representatives of the Economic Develop-  
24      ment Administration, the Office of Sustainable De-  
25      velopment, and the Small Business Administration

1 of the Department of Commerce, the Department of  
2 Labor, and State agencies and private entities in-  
3 volved in economic development activities in the Gulf  
4 of Maine region. The individuals who represent  
5 Provinces shall be ex officio members of the Board.

6 (4) ANNUAL PLAN.—The Board shall prepare  
7 an annual plan that identifies goals and objectives  
8 for environmentally sound economic assistance (in-  
9 cluding high-priority projects), describes the status  
10 of any ongoing projects, and reflects the goals and  
11 priorities established in the Agreement. The Board  
12 shall provide for public review of and comment on  
13 the plan. Prior to release of the plan for public re-  
14 view, the Boards and Councils referred to in sections  
15 6 through 8 shall review and comment on the plan.

16 (b) PLANNING GRANTS.—

17 (1) IN GENERAL.—In accordance with this sub-  
18 section, the Secretary may provide planning grants  
19 to the Gulf of Maine Council for a period of 1 year  
20 for 100 percent of the total project cost, as deter-  
21 mined by the Secretary. In carrying out this para-  
22 graph, the Secretary may enter into a cooperative  
23 agreement with the Council.

24 (2) ELIGIBLE ACTIVITIES.—A cooperative  
25 agreement under this subsection shall be made avail-

1       able through the Economic Development Administra-  
2       tion of the Department of Commerce for the plan-  
3       ning of economic development programs designed  
4       specifically to retain or create full-time permanent  
5       jobs and income for individuals who are unemployed  
6       or underemployed as a result of the implementation  
7       of fishery management regulations imposed by the  
8       Federal Government that have a severe economic im-  
9       pact on communities in the Gulf of Maine region.

10       (c) TECHNICAL ASSISTANCE.—

11               (1) IN GENERAL.—In accordance with this sub-  
12       section, the Secretary may provide grants for local  
13       technical assistance to the Gulf of Maine Council  
14       through the Economic Development Administration  
15       of the Department of Commerce in an amount equal  
16       to not more than 75 percent of the total project  
17       cost, as determined by the Secretary.

18               (2) ELIGIBLE ACTIVITIES.—Activities eligible  
19       for assistance under this subsection include—

20                       (A) enabling the building and expansion of  
21       local organizational capacity;

22                       (B) technical or market feasibility studies;

23                       (C) collecting and disseminating informa-  
24       tion relevant to diversification efforts, including  
25       stock projections, market forecasts, inter-

1 national trade opportunities, and technology  
2 needs assessment;

3 (D) conversion assistance for new  
4 nonfishing occupations, including financial sup-  
5 port for regional business development efforts,  
6 and technology needs assessment;

7 (E) restoration of natural resources, such  
8 as the building of fish passages and the restora-  
9 tion of wetlands and shellfish harvesting areas,  
10 that will enhance economic opportunities for  
11 Gulf of Maine communities; and

12 (F) otherwise responding to developmental  
13 opportunities for individuals unemployed or un-  
14 deremployed as a result of the implementation  
15 of fishery management regulations imposed by  
16 the Federal Government that have a severe eco-  
17 nomic impact on communities in the Gulf of  
18 Maine region.

19 (d) ELIGIBLE APPLICANTS.—

20 (1) GRANTS.—The sole eligible applicant to re-  
21 ceive grants under this section shall be the Gulf of  
22 Maine Council, on behalf of the Gulf of Maine region  
23 which shall be deemed to be an economic develop-  
24 ment district for the purpose of part B of title IV

1 of the Public Works and Economic Development Act  
2 of 1965 (42 U.S.C. 3171 et seq.).

3 (2) SUBGRANTS.—The Gulf of Maine Council  
4 shall use grants received under this section to pro-  
5 vide assistance for activities referred to in this sec-  
6 tion to eligible applicants, including public and pri-  
7 vate nonprofit national, State, area, district, and  
8 local organizations, units of local government, and  
9 public and private colleges and universities.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
11 are authorized to be appropriated such sums as are nec-  
12 essary to carry out this section.

13 **SEC. 6. FISHERY MANAGEMENT PLANS.**

14 (a) COORDINATION WITH EXISTING PROGRAM.—

15 (1) IN GENERAL.—The Gulf of Maine Council  
16 shall cooperate with the New England Fishery Man-  
17 agement Council established under title III of the  
18 Magnuson Fishery Conservation and Management  
19 Act (16 U.S.C. 1851 et seq.).

20 (2) AUTHORITY.—The Management Council  
21 shall continue to exercise the authorities and respon-  
22 sibilities established in title III of such Act (16  
23 U.S.C. 1851 et seq.) and shall also participate, as  
24 described in subsection (b)(1)(A), with the Gulf of  
25 Maine Council and with other organizations estab-

1 lished under this Act in cooperative efforts to pro-  
2 mote the environmental and economic health of the  
3 Gulf of Maine region.

4 (b) RECOMMENDATIONS BY THE GULF OF MAINE  
5 COUNCIL.—

6 (1) RECOMMENDATIONS.—

7 (A) TO MANAGEMENT COUNCIL.—The Gulf  
8 of Maine Council may, after notice and oppor-  
9 tunity for public comment, develop rec-  
10 ommendations to submit to the Management  
11 Council on any fishery management plan being  
12 considered by the Management Council, if the  
13 Gulf of Maine Council determines that the rec-  
14 ommendations are necessary to make the fish-  
15 ery management plan reflect the goals and pri-  
16 orities established in the Agreement. The rec-  
17 ommendations shall be submitted during the  
18 applicable public comment period established  
19 under title III of the Magnuson Fishery Con-  
20 servation and Management Act (16 U.S.C.  
21 1851 et seq.).

22 (B) TO SECRETARY.—The Gulf of Maine  
23 Council may, after notice and opportunity for  
24 public comment, develop recommendations,  
25 based on the Agreement, to submit to the Sec-

1           retary regarding any fishery management plan  
2           of the Management Council being considered by  
3           the Management Council or submitted to the  
4           Secretary, including asking the Secretary to  
5           convene a negotiated rulemaking provided for  
6           under subchapter III of chapter 5 of title 5,  
7           United States Code, for the management plan.  
8           The recommendations shall be submitted during  
9           the applicable public comment period estab-  
10          lished under section 304 of the Magnuson Fish-  
11          ery Conservation and Management Act (16  
12          U.S.C. 1854).

13           (2) APPROVAL BY THE COUNCIL.—The Gulf of  
14          Maine Council may submit recommendations under  
15          paragraph (1) only if the recommendations are ap-  
16          proved by a majority of the voting members of the  
17          Gulf of Maine Council.

18           (3) REVIEW.—If the Secretary receives rec-  
19          ommendations prepared by the Gulf of Maine Coun-  
20          cil, the Secretary shall commence a review of the  
21          recommendations to determine whether the rec-  
22          ommendations are necessary to make any fishery  
23          management plan consistent with the Agreement.

24           (4) CONSULTATION.—In undertaking the review  
25          required under paragraph (3), the Secretary shall—

1 (A) give careful consideration to the com-  
2 ments and recommendations of the Gulf of  
3 Maine Council; and

4 (B) provide the Gulf of Maine Council,  
5 upon request, the opportunity to meet with and  
6 present the comments or recommendations of  
7 the Council directly to the Secretary during the  
8 applicable public comment period established  
9 under section 304 of the Magnuson Fishery  
10 Conservation and Management Act (16 U.S.C.  
11 1854).

12 (5) NONACCEPTANCE BY THE SECRETARY.—If  
13 the Secretary does not accept the recommendations  
14 reviewed under paragraph (3), the Secretary shall  
15 specify the reasons the recommendations were not  
16 accepted.

17 (6) FINDINGS.—Notwithstanding any other law,  
18 if the Secretary concurs with the recommendations  
19 submitted by the Gulf of Maine Council under this  
20 subsection, the Secretary shall issue a finding to the  
21 Management Council requesting that the Manage-  
22 ment Council review the fishery management plan in  
23 light of the recommendations of the Gulf of Maine  
24 Council not later than 180 days after the issuance

1 of the finding. The Secretary shall also inform the  
2 Gulf of Maine Council of the finding.

3 **SEC. 7. ENVIRONMENTAL MANAGEMENT AND ASSESSMENT**  
4 **PROGRAM.**

5 (a) ESTABLISHMENT.—

6 (1) IN GENERAL.—There is established an En-  
7 vironmental Management and Assessment Program  
8 (referred to in this subsection as the “Program”) for  
9 the Gulf of Maine region.

10 (2) MANAGEMENT OF PROGRAM.—

11 (A) IN GENERAL.—The Program shall be  
12 managed by the Gulf of Maine Council on the  
13 Marine Environment Working Group in exist-  
14 ence on the date of enactment of this Act (re-  
15 ferred to in this section as the “Working  
16 Group”).

17 (B) MEMBERS.—The Working Group shall  
18 consist of such individuals as the members of  
19 the Gulf of Maine Council who represent States  
20 determine are appropriate. Membership should  
21 include representatives of Federal, State, and  
22 local governments and nonprofit organizations  
23 that have environmental management and as-  
24 sessment programs in the Gulf of Maine region.

1           (3) PARTICIPATION IN THE PROGRAM.—The  
2       Gulf of Maine Council shall ensure that—

3           (A) all Federal and State agencies that  
4       have environmental management and assess-  
5       ment programs in the Gulf of Maine region  
6       have an opportunity to participate in the Pro-  
7       gram; and

8           (B) the Program includes representation of  
9       the environmental management and assessment  
10      efforts being carried out by nongovernmental  
11      entities in the Gulf of Maine region.

12      (b) ENVIRONMENTAL MANAGEMENT AND ASSESS-  
13      MENT PLAN.—

14           (1) IN GENERAL.—Not later than 2 years after  
15      the Agreement is adopted, and after providing for  
16      public review and comment, the Working Group  
17      shall publish a plan for improved environmental  
18      management and assessment in the Gulf of Maine  
19      region. Prior to release of the plan for public review,  
20      the Boards and Councils referred to in sections 5, 6,  
21      and 8 shall review and comment on the plan.

22           (2) CONTENTS OF PLAN.—The plan required  
23      under paragraph (1) shall—

24           (A) establish a comprehensive program for  
25      the long-term monitoring and assessment of the

1 Gulf of Maine region, based on the Gulf of  
2 Maine Monitoring Plan established in 1990 by  
3 the Governors of Maine, Massachusetts, and  
4 New Hampshire, and the Premiers of Nova  
5 Scotia and New Brunswick;

6 (B) identify environmental protection and  
7 management programs being carried out in the  
8 Gulf of Maine region and make recommenda-  
9 tions for improving the effectiveness of the pro-  
10 grams and coordination among programs;

11 (C) identify and monitor priority habitat  
12 for the fish and wildlife species in the Gulf of  
13 Maine region and recommend measures for  
14 habitat conservation, including protection and  
15 restoration; and

16 (D) reflect the goals and priorities estab-  
17 lished in the Agreement.

18 (3) PLANNING AND IMPLEMENTATION

19 GRANTS.—The Administrator, the Secretary of Com-  
20 merce, and the Secretary of the Interior may provide  
21 planning and implementation grants to the Gulf of  
22 Maine Council in an amount equal to not more than  
23 75 percent of the total project cost, as determined  
24 by the Administrator or the Secretary, respectively,  
25 for planning and implementing environmental man-

1       agement and assessment projects under this section.

2       In carrying out this paragraph, the Administrator  
3       and each Secretary may enter into a cooperative  
4       agreement with the Council.

5       (c) AUTHORIZATION OF APPROPRIATIONS.—There  
6       are authorized to be appropriated such sums as are nec-  
7       essary to carry out this section.

8       **SEC. 8. GULF OF MAINE RESEARCH.**

9       (a) COORDINATION WITH EXISTING PROGRAM.—

10           (1) IN GENERAL.—The Gulf of Maine Council  
11       shall cooperate with the Regional Marine Research  
12       Board for the Gulf of Maine region established  
13       under title IV of the Marine Protection, Research,  
14       and Sanctuaries Act of 1972 (16 U.S.C. 1447 et  
15       seq.) and the Regional Association for Research on  
16       the Gulf of Maine.

17           (2) NEW AUTHORITY.—The Regional Marine  
18       Research Board for the Gulf of Maine region shall  
19       continue to exercise the authorities and responsibil-  
20       ities established in title IV of such Act (16 U.S.C.  
21       1447 et seq.) and shall also participate with the Gulf  
22       of Maine Council and with other organizations es-  
23       tablished under this Act in cooperative efforts to  
24       promote the environmental and economic health of  
25       the Gulf of Maine region.

1 (3) REGIONAL MARINE RESEARCH PLANS.—

2 (A) SCHEDULES.—The Regional Marine  
3 Research Board for the Gulf of Maine region  
4 may, in cooperation with the Gulf of Maine  
5 Council and with the approval of the Secretary,  
6 revise schedules for the development of research  
7 plans under section 404 of such Act (16 U.S.C.  
8 1447c) as appropriate to ensure the effective  
9 coordination of the plans and programs carried  
10 out under such Act with the activities and plans  
11 carried out under this Act.

12 (B) GOALS AND PRIORITIES.—The re-  
13 search plans referred to in subparagraph (A)  
14 shall reflect the goals and priorities established  
15 in the Agreement. Each research plan shall be  
16 reviewed by the Boards and Councils referred  
17 to in sections 5 through 7 prior to approval of  
18 the plan.

19 (4) CONTINUATION OF PROGRAM.—Notwith-  
20 standing section 403(f) of the Marine Protection,  
21 Research, and Sanctuaries Act of 1972 (16 U.S.C.  
22 1447b(f)), the Regional Marine Research Board for  
23 the Gulf of Maine region shall continue to exist until  
24 the termination date specified in section 10.

25 (b) MEMBERSHIP.—

1           (1) CURRENT STRUCTURE.—The membership  
2           of the Regional Marine Research Board for the Gulf  
3           of Maine region shall be as established under section  
4           403 of such Act (16 U.S.C. 1447b).

5           (2) RESEARCH ADVISORY GROUP.—The Gulf of  
6           Maine Council may establish a Gulf of Maine Re-  
7           search Advisory Group consisting of such individuals  
8           as the members of the Gulf of Maine Council who  
9           represent Provinces identify as appropriate to rep-  
10          resent the marine research interests, including fish-  
11          eries science and environmental quality, of the Prov-  
12          inces. The members of the Research Advisory Group  
13          shall, to the extent practicable, be selected in a man-  
14          ner consistent with paragraphs (1) and (2) of sec-  
15          tion 403(b) of such Act (16 U.S.C. 1447b(b)).

16          (c) AUTHORIZATION OF APPROPRIATIONS.—Notwith-  
17          standing section 407 of such Act (16 U.S.C. 1447f), there  
18          are authorized to be appropriated such sums as are nec-  
19          essary to carry out this section.

20       **SEC. 9. ST. CROIX INTERNATIONAL WATERWAY COMMIS-**  
21               **SION.**

22          (a) IN GENERAL.—The Administrator may award  
23          grants to the St. Croix International Waterway Commis-  
24          sion to support the activities of the Commission.

25          (b) FEDERAL SHARE.—

1           (1) IN GENERAL.—The Federal share of a  
2           grant awarded under this section shall be 50 percent  
3           of the amount of the grant award.

4           (2) NON-FEDERAL SHARE.—The non-Federal  
5           share of a grant awarded under this section shall be  
6           50 percent of the amount of the grant award. Any  
7           person, including the State of Maine, the Province  
8           of New Brunswick, the Government of Canada, or  
9           any political subdivision thereof, may pay the non-  
10          Federal share.

11         (c) REPORTS.—

12           (1) SUBMISSION BY COMMISSION.—As a condi-  
13          tion of receiving a grant award under this section,  
14          the Commission shall submit to the Administrator,  
15          by a date specified by the Administrator, an annual  
16          report on the activities of the Commission and the  
17          use by the Commission of the grant award.

18           (2) SUBMISSION BY ADMINISTRATOR.—As soon  
19          as practicable after receipt of the report under para-  
20          graph (1), the Administrator shall submit a copy of  
21          the report and any written recommendations con-  
22          cerning the report to the Committee on Environment  
23          and Public Works of the Senate and the Committee  
24          on Public Works and Transportation of the House  
25          of Representatives.

1       (d) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 are authorized to be appropriated to the Environmental  
 3 Protection Agency to carry out this section \$100,000 for  
 4 each of fiscal years 1995 through 2000.

5 **SEC. 10. TERMINATION OF AUTHORITY.**

6       The authority provided by this Act (except for section  
 7 9) shall terminate on the date that is 13 years after the  
 8 date of enactment of this Act.

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